

### **Remarks**

In response to the Office Action mailed January 12, 2005, Applicant respectfully requests reconsideration of the pending claims. To further the prosecution of this application, Applicant submits the above amendments and the following remarks. Claims 1, 13, 17 and 18 have been amended. No new matter has been added. The claims as presented are now believed to be in allowable condition.

### **Objections to the Drawings**

The Office Action objected to the drawings because they include photographs and under 37 C.F.R. 1.83(a). Applicant respectfully traverses these objections.

Indeed, Applicant submitted replacement drawings on January 22, 2004 and those replacement drawings did not include any photographs. It appears that the replacement drawings were not reviewed in the preparation of the Office Action. Thus, the objection to the drawings is moot because the actual drawings associated with this application were not considered.

### **Claim Rejections Under 35 U.S.C. § 112**

Claims 1-12 and 14 stand rejected under 35 U.S.C. §112, second paragraph as allegedly failing to particularly point out and claim the subject matter which Applicant regards as his invention. The Office Action, however, only specifically rejects claim 1, thus, claim 14 is not discussed herein. With respect to claim 1, the recitation that the Office Action stated was "confusing" has been removed therefrom. Thus, the rejection of claims 1-12 under 35 U.S.C. §112, second paragraph, has been overcome and the rejection should be withdrawn.

### **Claim Rejections Under 35 U.S.C. § 102 and 35 U.S.C. § 103**

In the Office Action, claims 1, 2, 4, 7, 9, 13-14 and 16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 1,247,033 (Swartz); claims 3 and 15 stand rejected

under 35 U.S.C. § 103(a) as being unpatentable over Swartz in view of U.S. Patent No. 2,487,536 (Fiscus); claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Swartz in view of U.S. Patent No. 651,058 (Rogers); claims 6 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Swartz; and claims 10-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Swartz in U.S. Patent No. 1,361,981 (Goodnow). In addition, Claims 1-5, 7-14, 16 and 17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,542,314 (Sullivan) and claims 17-18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Swartz in view of Sullivan.

Based on the amendments and remarks contained herein each of the above recited rejections has been overcome and, therefore, Applicant traverses these rejections. At least one reason that each of the independent claims is patentable over the cited references is discussed in greater detail below.

### **Claims 1-12**

As discussed above, claim 1 stands rejected as being anticipated by either Swartz or Sullivan.

Claim 1, as amended, is directed to a steering wheel workstation including a support portion having a lower region and an upper region and a back and a front, dimensioned to support on its front at least the base of the laptop. The steering wheel workstation of claim 1 also includes, *inter alia*, a standoff member, located on the back of a support portion, that is positioned to cause the lower end of the support portion to be displaced from a lower part of the steering wheel and that is formed from a substantially solid piece of material.

Applicant does not observe any teaching or suggestion in the cited references to a steering wheel workstation that includes a standoff member, located on the back of a support portion, that is positioned to cause the lower end of the support portion to be displaced from a lower part of the steering wheel and that is formed from a solid piece of material.

In particular, Swartz does not teach that the standoff member are located on the back of the support. Indeed, the only "standoff members" taught in Swartz are the feet bearing reference number 9. These feet are integral with the plate 1 and are merely bent back from the plate, not located on the back thereof. Furthermore, because Swartz is directed to a document holder for use in office setting, and not a support for a laptop computer in a car, Swartz does not teach or suggest that the standoff member be positioned to cause the lower end of the support portion to be displaced from a lower part of a steering wheel. As such, Swartz does not teach or suggest every element of claim 1 and the rejection to claim 1 under 35 U.S.C. § 102(b) is improper and should be withdrawn.

With respect to Sullivan, the standoff members 104 and 106 taught therein are arranged and configured to require at least two separate standoff members rather than the solid piece of material recited in claim 1. In particular, standoff members 104 and 106 are portions of standards 92 and 94 (col. 4, lines 41-43). The standards 92 and 94 are separate pieces formed from rigid, circularly sectioned rods (col. 4, lines 32-33). The rods are not substantially solid pieces of material. As such, Sullivan does not teach or suggest each an every element recited in claim 1 and, therefore, the rejection of claim 1 under 35 U.S.C. §102(b) should be reconsidered and withdrawn.

Claims 2-12 depend for from claim 1 and, therefore, are patentable for at least the same reasons.

### **Claims 13-16**

As discussed above, claim 13 stands rejected as being anticipated by either Swartz or Sullivan.

Claim 13 is directed to a steering wheel workstation support for a laptop computer, the laptop computer having a base and a display foldingly related to one another, the base having a front edge. The steering wheel workstation of claim 13 includes, *interalia*, a support portion, a lip at the lower region of the support portion for receiving the front edge of the base of the laptop, and a hook arrangement disposed to hook onto a steering wheel in the upper region of the support portion. The steering wheel of claim 13 also includes a standoff member, located on the back of the support portion, that is positioned to cause the lower end of the support portion to be displaced from a lower part of the steering wheel. The standoff member of claim 13 is dimensioned and configured so as to permit the workstation support to be supported by the lip

and the standoff member on a horizontal surface with the support portion at an obtuse angle relative to the horizontal, as measured from the front of the support portion, thereto less than 145 degrees.

Neither Swartz nor Sullivan teach or suggest a steering wheel workstation that includes a standoff member, located on the back of a support portion that is designed and configured so as to permit the workstation support to be supported by a lip and the standoff member on a horizontal surface. For instance, the only “support members” taught in Swartz are the feet bearing reference number 9. These feet are integral with the plate 1 and are merely bent back from the plate, not located on the back thereof.

Furthermore, Sullivan does not teach or suggest, and the Office Action does not assert, that the standoff member permits the workstation to be supported by the lip and the standoff member on a horizontal surface with the support portion at an obtuse angle relative to the horizontal, as measured from the front of the support portion, thereto less than 145 degrees. The Office Action, rather, merely states that the “intended use limitation do not impart any structure over the structures of the support in Sullivan.” As amended, claim 13 states that the standoff is dimensioned and configured to achieve the specified function, namely, to allow the workstation to be supported on a horizontal surface with the support portion at an obtuse angle relative to the horizontal, as measured from the front of the support portion, thereto less than 145 degrees. This recitation is proper and similar such limitations have been held to “precisely define present structural attributes.” MPEP § 2173.05 (g) (citing In re Venezia, 530 F.2d 956 (CCPA 1976)). As such, the rejection of claim 13 as being anticipated by Sullivan should be withdrawn.

In view of the foregoing, Applicant respectfully asserts that claim 13 is patentable over the cited references.

Claims 14-16 depend from claim 13 and, therefore, are patentable for at least the same reasons.

### **Claims 17 and 18**

Claims 17 and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Swartz in view of Sullivan. Similar to claim 1 above, both claims 17 and 18 have been amended to include a limitation that workstation support that is provided in these method claims includes a standoff formed from a substantially solid piece of material. Neither Swartz nor Sullivan teach

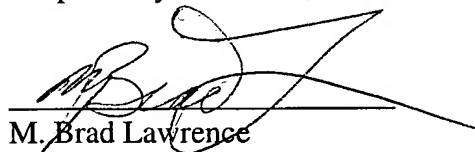
or suggest providing such a workstation. Thus, claims 17 and 18 are both patentable over the cited references and the rejections thereto should be withdrawn.

**Conclusion**

Applicant respectfully requests that the examiner reconsider this application in view of all of the art. Applicant submits that the present application is in condition for allowance and early notice to that effect is respectfully solicited.

Dated: April 12, 2005

Respectfully submitted,



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